

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:

SPARTAN GROUP HOLDINGS, LLC,
et al,

Debtor.

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Case No. 23-42384

Chapter 11

**MOTION FOR EXPEDITED HEARING REGARDING PAYMENT AND
REJECTION MOTIONS (RE: DOCKET NOS. 110, 111, 112)**

TO THE HONORABLE BRENDA T. RHOADES, U.S. BANKRUPTCY JUDGE:

CADRE ATX LLC, general contractor, creditor, and party in interest (“Cadre”), files this *Motion for Expedited Hearing Regarding Payment and Rejection Motions* (Docket Nos. 110, 111, 112) (“Motion to Expedite”) and in support thereof would show the Court the following.

1. **Underlying motion(s).** This Motion to Expedite pertains to the following motions filed by Cadre as shown in the table below (collectively, the “Subject Motions”).

Filing Date	Docket Text	Filing Date
01/23/2024	110 (19 pgs; 2 docs)	Motion of Cadre ATX LLC (I) to Enforce Joint Check Agreements and Direct Funds to Potential Lien Claimants and/or (II) Obtain Relief from Prior Order to Pay Potential Lien Claimants (Re: Docket No. 57) Filed by Cadre ATX LLC (RE: related document(s) 57 Order on Motion (Generic)). (Attachments: # 1 Proposed Order) (Carruth, Jeff) (Entered: 01/23/2024)
01/23/2024	111 (18 pgs; 2 docs)	Motion to Compel Motion of Cadre ATX LLC to Compel Rejection of Contract with Debtor Filed by Cadre ATX LLC (Attachments: # 1 Proposed Order) (Carruth, Jeff) (Entered: 01/23/2024)
01/23/2024	112 (19 pgs; 2 docs)	Motion for Relief from Automatic Stay WITHOUT Waiver of 30-Day Hearing Requirement As To Filed by Cadre ATX LLC (Attachments: # 1 Proposed Order) (Carruth, Jeff) (Entered: 01/23/2024)

2. **Basis for expedited consideration.** Expedited consideration of the Subject Motions is necessary because of (i) the delays the Debtor has caused in the performance of the prime contract between Cadre and the Owner which impact the completion date of the prime contract and thus threaten damages to and the reputation of Cadre, and (ii) the claims of suppliers and subcontractors which are unpaid by the Debtor and which now threaten statutory liens and other remedies against the Owner and the Project.

3. Cadre seeks entry of a final order at the expedited hearing on each of the Subject Motions.

4. **Certificate of Conference.** The Debtor opposes the Subject Motions and expedited consideration.

5. **Time estimate for hearing.** 1-2 hours.

6. **Deadline for when hearing is needed:** A hearing is needed within fourteen (14) days. Cadre proposes a hearing on February 7, 8, or 9, 2024.

7. **Date when all parties are available:** Cadre will seek to address the scheduling of the Subject Motions at the hearing set for January 23, 2024, in this case.

8. A proposed form of order accompanies this motion.

Dated: January 23, 2024

Respectfully submitted:

WEYCER, KAPLAN, PULASKI & ZUBER, P.C.

By: /s/ Jeff Carruth

JEFF CARRUTH (TX SBN: 24001846)

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ATTORNEYS FOR:

CADRE ATX LLC

CERTIFICATE OF SERVICE

On January 23, 2024, I hereby certify that a true and correct copy of the foregoing Notice of Appearance was served upon all registered ECF users who have appeared in this case to date through the ECF noticing system.

/s/ Jeff Carruth

JEFF CARRUTH

UNITED STATES BANKRUPTCY COURT
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IN RE:

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Case No. 23-42384

Chapter 11

**ORDER GRANTING MOTION FOR EXPEDITED HEARING
REGARDING PAYMENT AND REJECTION MOTIONS (RE: DOCKET
NOS. 110, 111, 112, AND 113)**

On this day came on for consideration *Motion for Expedited Hearing Regarding Payment and Rejection Motions* (Docket No. 113) (the “Motion to Expedite”) regarding the following motions filed by Cadre as shown in the table below (collectively, the “Subject Motions”) filed herein on January 22, 2024 by Cadre ATX LLC, general contractor, creditor, and party in interest herein. The Court finds and concludes that the Motion to Expedite should be granted.

Filing Date	Docket Text	Filing Date
01/23/2024	110 (19 pgs; 2 docs)	Motion of Cadre ATX LLC (I) to Enforce Joint Check Agreements and Direct Funds to Potential Lien Claimants and/or (II) Obtain Relief from Prior Order to Pay Potential Lien Claimants (Re: Docket No. 57) Filed by Cadre ATX LLC (RE: related document(s) 57 Order on Motion (Generic)). (Attachments: # 1 Proposed Order) (Carruth, Jeff) (Entered: 01/23/2024)
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IT IS THEREFORE ORDERED THAT the Court shall conduct an expedited hearing on the Subject Motions at the date and time entered on the docket for this case. Movant shall be responsible for notice.

Dated: _____

THE HONORABLE BRENDA T. RHOADES
UNITED STATES BANKRUPTCY JUDGE